



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Allied-Signal Aerospace Company

**File:** B-236050

**Date:** November 6, 1989

---

### DIGEST

1. Where an offeror fails to comply with a solicitation requirement for detailed information which an agency deems necessary for evaluation purposes, the agency properly may eliminate the proposal from the competitive range.
2. Protest that contracting agency failed to conduct meaningful discussions with offeror is denied where offeror's proposal was not determined to be within competitive range; agency's communications with offeror during initial evaluation regarding proposal deficiencies constituted clarifications which were part of the evaluation and on which the agency ultimately relied, in part, in excluding the offeror from the competitive range.

---

### DECISION

Allied-Signal Aerospace Company protests the exclusion of its proposal from the competitive range under request for proposals (RFP) No. F08635-89-R-0075, issued by the Air Force for portable automatic test sets. Allied-Signal disputes the evaluation of its proposal and argues that the agency failed to conduct meaningful discussions with respect to perceived deficiencies.

We deny the protest.

The solicitation requested proposals to design, develop and produce a portable automatic test set--the Advanced Support Equipment Test System (ASE)--for the GBU-15/AGM-130 air-to-surface stand-off weapon system. It provided for proposals to be evaluated on the basis of three factors, listed in descending order of importance: (1) technical (including reliability, maintainability and producibility, system design, analysis and testing, and manufacturing); (2) management/personnel (including program management, financial/schedule management, and logistics), and

047026/139947

(3) price. Offerors were required to furnish specific information in 64 areas related to the technical and management evaluation criteria, specifying that the offeror "shall outline the . . . method proposed as specifically as possible," and that the requested information must be "specific and complete in every detail" and "in sufficient detail to allow complete evaluation." The solicitation cautioned that merely repeating the statement of work without sufficient elaboration would be unacceptable and that the government would not assume that an offeror possessed any capability, plan or procedure not set forth in its proposal.

The solicitation limited the technical volume of proposals to 80 pages and the management/personnel volume to 20 pages, adding that "proposals shall not be supplemented by a package or reference documents." <sup>1/</sup> The RFP did, however, provide a means by which offerors could submit more detailed information on their proposed approaches to performance, stating that draft versions of items on the contract data requirements list (CDRL)--the list of data required to be furnished during the contract--included in the solicitation could be furnished as annexes to the proposal and would not be included in the page count. The CDRL included such items as a configuration management plan, program schedule, integrated test plan, reliability development plan, software development plan and manufacturing plan, all of which were areas encompassed within various evaluation criteria.

The Air Force received five proposals in response to the solicitation. After evaluation of initial proposals and offerors' subsequent responses to requests for additional information, the agency excluded two of the offerors, including Allied-Signal, from the competitive range. The Air Force viewed award to the firm as risky, finding that in significant areas Allied-Signal had failed to provide information necessary to permit evaluation of its approach. Specifically, the agency determined that Allied-Signal's proposal represented a high risk in the management area because it (1) included only a generic program management plan, not tailored or responsive to the specific requirements of the ASE program and the solicitation; (2) included insufficient detail to permit evaluation of the required configuration management plan; and (3) did not provide the detailed schedule required by the solicitation. In

---

<sup>1/</sup> In addition, the agency subsequently limited responses to clarification requests and deficiency reports to one-half page and one page respectively.

addition, the agency determined that Allied-Signal's proposal represented a moderate risk in the technical area because it (1) did not adequately provide for the early testing necessary to facilitate prompt detection and correction of defects so as to improve system reliability; (2) failed to provide sufficient detail to permit evaluation of its manufacturing facilities and equipment; and (3) did not discuss in any detail how it would implement the required warranty program.

In view of the perceived weaknesses in Allied-Signal's proposal, the agency concluded that the proposal was technically unacceptable and not susceptible of being made acceptable without major revisions, and that the firm lacked a reasonable chance for award. Upon learning of its subsequent exclusion from the competitive range, Allied-Signal filed this protest with our Office.

Allied-Signal argues that the agency's conclusion that its proposal was incomplete or insufficiently detailed to permit evaluation failed to take into consideration the information provided in the numerous tables, flow charts and other illustrations included in the proposal. The protester explains that as a result of the page limitations, which it had unsuccessfully requested the agency to relax, it relied upon the use of graphics to provide much of the information required by the solicitation.

The evaluation of proposals and the resulting determination as to whether an offeror is within the competitive range are matters within the discretion of the contracting activity, since it is responsible for defining its needs and for deciding on the best methods of accommodating them. See Rainbow Technology, Inc., B-232589, Jan. 24, 1989, 89-1 CPD ¶ 66. Our Office will not disturb an agency's decision to exclude a firm from the competitive range on grounds that it had no reasonable chance of being selected for award when the decision was reasonable and consistent with the stated evaluation criteria. See IMR Servs. Corp., B-230586, June 9, 1988, 88-1 CPD ¶ 548. An agency's decision to exclude an offeror from the competitive range is proper where the offeror's technical proposal is so deficient that it would require major revisions to be made acceptable. Id.

Based upon our review of the record, we find that in significant areas the agency had a reasonable basis for concluding that Allied-Signal did not comply with the solicitation requirement to furnish detailed information and did not adequately detail its proposed approach to performance.

For example, with respect to the evaluation criterion for configuration management, the solicitation required each offeror to describe the role of its configuration management effort in its overall approach to performance and to define the policies and procedures for control of, and changes to, established configuration baselines. Allied-Signal's proposal, however, included only two flow charts and a cursory (three-plus pages) discussion essentially restating the contents of the illustrations and promising to comply with various military and Allied-Signal standards and guidelines. The proposal did not describe configuration management procedures in any detail and, notwithstanding that the CDRL included a requirement for a configuration management plan to be submitted within 60 days after award, Allied-Signal did not take advantage of the opportunity provided by the solicitation to supplement its proposal with a draft plan describing its procedures in detail. Although advised during discussions that its proposal was considered deficient because it lacked detail on how configuration management would be accomplished, with little information on roles, responsibilities and procedures included in the proposal, Allied-Signal's response, limited to the one page allowed for deficiency report responses, added little detail. By contrast, the three offerors included in the competitive range supplemented the discussions of configuration management in their management/personnel volumes with draft configuration management plans that ranged from 18 to 44 pages, and included detailed discussions of proposed procedures.

With regard to program schedule, the solicitation required offerors to provide an integrated network schedule for the proposed design, fabrication, test, review and audit efforts; it specified that the schedule must include all major milestones, key decisions, interfaces and interrelationships, and also show a critical path. The integrated network schedule submitted by Allied-Signal, however, did not specify a critical path, and generally did not show the interrelationships between tasks; that is, it did not show how the completion of one task was dependent upon or influenced by the completion of other tasks. Although advised during discussions that its schedule lacked key decisions, interfaces, interrelationships and critical paths, Allied-Signal responded by merely resubmitting its previously-furnished schedule; it also submitted a separate critical path diagram, but it was found to lack the necessary time parameters. By contrast, all three of the offerors included in the competitive range furnished more detailed scheduling information, integrated network schedules showing the interrelationships between tasks, and critical paths with time parameters.

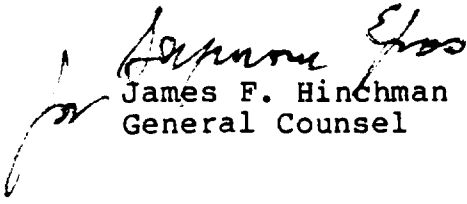
An offeror must demonstrate affirmatively the merits of its proposal, and runs the risk of rejection if it fails to do so. See Vista Videocassette Servs., Inc., B-230669, July 15, 1988, 88-2 CPD ¶ 55. Here, the solicitation required offerors to furnish detailed information concerning their proposed approaches to performance. Allied-Signal, unlike the three firms included in the competitive range, did not take advantage of the opportunity clearly provided by the solicitation to furnish additional information, in the form of draft CDRL items, beyond the strict page limits on the proposal itself. In several significant areas, Allied-Signal failed to comply with the solicitation requirement for detailed information deemed necessary for evaluation purposes. Under these circumstances, we find no basis to object to the determination that Allied-Signal's proposal was technically unacceptable and not susceptible of being made acceptable without major revisions, and the consequent elimination of the proposal from the competitive range.

Allied-Signal also argues that the agency either failed to advise the firm of the perceived deficiencies or conducted discussions insufficiently specific to place the firm on adequate notice of the perceived weaknesses. However, there is no requirement that an agency hold full-blown discussions with an offeror where that offeror has not yet been determined to be within the competitive range. Alm, Inc.; Technology, Inc., B-217284.2, Apr. 16, 1985, 85-1 CPD ¶ 433. Here, we find the record shows that Allied-Signal was never actually determined to be in the competitive range, despite its communications with the Air Force concerning its proposal; the Air Force's request for additional information in specific areas was part of the ongoing evaluation process to determine which offerors would be included in the competitive range.

Moreover, Although Allied-Signal is correct that the agency did not advise it of some of the perceived deficiencies--those relating to the sequence of testing and warranty implementation--we find that the agency acted reasonably in informing Allied-Signal of the most significant deficiencies, which alone were sufficient to render its proposal high risk. For example, the Air Force advised Allied-Signal that its proposal "lacked detail relating to how you intend to accomplish the Configuration Management Process" and that it included "very little information on roles, responsibilities and procedures." Likewise, Allied-Signal was advised that its "Integrated Network Schedule lacked key decisions, interfaces, interrelationships and critical paths." All offerors were given the same opportunity to

modify their proposals after which the agency determined that Allied-Signal lacked a reasonable chance for award. We find nothing unfair in this process. Id.

The protest is denied.

  
James F. Hinchman  
General Counsel